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**JAN 30 2007**

**OFFICE OF PETITIONS**

In re Application of :  
Dale C. Kenison et al. :  
Application No. 10/659,610 : DECISION ON PETITION  
Filing Date: September 10, 2003 : UNDER 37 C.F.R. § 1.137(B)  
Attorney Docket Number: :  
70021220.0092 :  
Title: PELLET IMPLANT SYSTEM FOR :  
IMMEDIATE AND DELAYED RELEASE OF :  
ANTIPARASITIC DRUG :

This is a decision on the petition under 37 C.F.R. §1.137(b)<sup>1</sup>, filed August 23, 2006, to revive the above-identified application.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action, mailed January 23, 2006, which set a shortened statutory period for reply of three months. No response was received, and no extensions of time under the provisions of 37 C.F.R. §1.136(a)

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<sup>1</sup> A grantable petition pursuant to 37 C.F.R. 1.137(b) must be accompanied by:

- (1) The reply required to the outstanding Office action or notice, unless previously filed;
- (2) The petition fee as set forth in § 1.17(m);
- (3) A statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional, and;
- (4) Any terminal disclaimer (and fee as set forth in § 1.20(d)) required pursuant to paragraph (d) of this section.

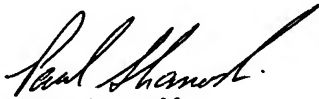
were requested. Accordingly, the above-identified application became abandoned on April 24, 2006.

With the present petition, Petitioner's representative has submitted the petition fee, an amendment, and the proper statement of unintentional delay. A terminal disclaimer is not required.

Petitioner's representative has met all requirements for a grantable petition under 37 C.F.R. §1.137(b). As such, the petition is **GRANTED**.

The Technology Center will be notified of this decision. The Technology Center's support staff will notify the Examiner of this decision, so that the amendment that was submitted with the present petition can be processed.

The general phone number for the Office of Petitions which should be used for status requests is (571) 272-3282. Telephone inquiries regarding this decision should be directed to the undersigned at (571) 272-3225.



**Paul Shanowski**  
**Senior Attorney**  
**Office of Petitions**  
**United States Patent and Trademark Office**